

AUSA: Reyhan Watson

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

24mj2640

UNITED STATES OF AMERICA

v.

ANTHONY ALFANO,

Defendant.

SEALED COMPLAINT

Violations of 18 U.S.C. §§ 875(c) and 844(e)

COUNTY OF OFFENSE:
WESTCHESTER

SOUTHERN DISTRICT OF NEW YORK, ss.:

EDWARD F. GANNON, being duly sworn, deposes and says that he is a Postal Inspector with the United States Postal Inspection Service (“USPIS”), and charges as follows:

COUNT ONE
(Threatening Interstate Communications)

1. On or about June 22, 2024, in the Southern District of New York and elsewhere, ANTHONY ALFANO, the defendant, knowingly and intentionally transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, ALFANO made several phone calls from Ossining, New York, in the Southern District of New York, to a United States Postal Service call center outside of the State of New York, during which he threatened to injure or kill United States postal employees.

(Title 18, United States Code, Section 875(c))

COUNT TWO
(Willfully Making a Threat Involving Fire)

2. On or about June 22, 2024, in the Southern District of New York and elsewhere, ANTHONY ALFANO, the defendant, through the use of the telephone and in or affecting interstate or foreign commerce, willfully made a threat to kill, injure, or intimidate an individual or unlawfully to damage or destroy a building, vehicle, or other real or personal property by means of fire or an explosive, to wit, ALFANO made several phone calls from Ossining, New York, in the Southern District of New York, to a United States Postal Service call center outside of the State of New York, during which he threatened to shoot United States postal employees with incendiary shotgun ammunition and burn down United States post offices.

(Title 18, United States Code, Section 844(e))

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I have been a Postal Inspector with the USPIS for about 17 years, and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part.

4. Based on my participation in this investigation, my review of reports and records, and conversations with law enforcement officers, and as set forth in greater detail below, I have learned that, ANTHONY ALFANO, the defendant, made a series of graphic and violent threats to kill United States Postal Service (“USPS”) employees and burn down United States post offices after a parcel he claimed contained the cremated remains of his grandmother did not arrive on the day he intended.

5. On or about Friday, June 21, 2024, based on my review of USPS records and product tracking information, a parcel designated as containing cremated remains was shipped from a location in Vero Beach, Florida. The parcel was sent by Priority Mail Express 1-Day shipping and was estimated to arrive by 6:00 P.M. on Saturday, June 22, 2024, at an address known by law enforcement as associated with ANTHONY ALFANO, the defendant, in Ossining, New York, in the Southern District of New York. Based on my review of law enforcement reports and records and my conversations with law enforcement officers, ALFANO has a history of encounters with law enforcement because of prior threats he has made against others, including police officers, delivery persons, and customer service representatives.

6. On or about Saturday, June 22, 2024, based on my review of USPS incident reports and records, ANTHONY ALFANO, the defendant, physically appeared at the local post office in Ossining, New York, at or around 10:00 A.M., to inquire about the above parcel. ALFANO then initiated a series of service inquiries online on USPS’s national website relating to the parcel. He also made several phone calls to the national USPS helpline 1-800-ASK-USPS (1-800-275-8777), speaking with customer service representatives outside of the State of New York. As a result of his outreach, ALFANO had a series of phone calls with USPS call center representatives while waiting for his parcel to arrive at his residence in Ossining, New York, in the Southern District of New York. The metadata for these calls indicates a mobile phone number that is listed in USPS records and law enforcement databases as belonging to ALFANO. Moreover, ALFANO provided his name, phone number, email address, and physical address at various points throughout these calls.

7. ANTHONY ALFANO’s, the defendant’s, conversations with USPS call center representatives that occurred on or about June 22, 2024, were automatically recorded. Based on my review these recordings,¹ I have learned the following, in substance and in part:

¹ To the extent this Complaint quotes statements made during these phone calls, none of these quotations are intended to be an official transcript of any statements made during these calls.

a. At or around 10:30 A.M. on the scheduled delivery date, ALFANO was informed by a USPS representative that his parcel had just departed Orlando, Florida, at or around 9:16 A.M., to which he responded, “That means I’m not gonna get this package today.” The representative responded, “I do not know that for a fact.”

b. In a subsequent conversation, ALFANO threatened to kill people if USPS did not deliver his grandmother’s ashes on the scheduled delivery date.

i. ALFANO had the following exchange with a USPS representative in which he threatened to “massacre” postal service employees:

REPRESENTATIVE: I have done the best that I can do for you at this time.

ALFANO: Yeah. Best my ass. But I’m gonna tell her right now, I will do the best to fucking destroying you guys. I’m telling you this right now, my grandma’s not delivered by today, this day, it’s gonna be a lot of hurt people and they won’t be coming to, they will not be returning home. I’m telling you this right the fuck now. You can send the postal police; you can send whoever you wanna fucking send because they ain’t gonna do shit to me. Like I said to the representative before, if you lose my grandmother, I’m gonna bring down a whole fucking media storm on the postal service that will never get out of in history. That’s not [indiscernible] to who I’m gonna get in contact to handle my business for me. Back in the day you ever heard of the Valentine’s Saint Massacre? They ain’t gonna have shit on what I’m about to do.”²

REPRESENTATIVE: . . . I hope this is resolved for you as soon as possible today.

ALFANO: For—I’m—for everybody’s sake. See, it’s better for everybody’s safety because I don’t give a fuck.

REPRESENTATIVE: Okay. Well, I understand you’re upset, as I said, I apologize.

ALFANO: No, no, no, no. I’m beyond upset. Sir, I don’t make threats, I make promises. I swear on my grandma’s ashes, and I swear on my wife’s grave, she ain’t delivered, I feel bad for y’all.

² The Saint Valentine’s Day Massacre in 1929 “marks the most infamous gangster mass murder in history.” History.com Editors, “St. Valentine’s Day Massacre,” HISTORY.COM (Nov. 9, 2009, last ed. Apr. 15, 2024), <https://www.history.com/topics/crime/saint-valentines-day-massacre>. Several people were lined up against a wall and shot with shotguns and submachine guns, including one of the victims who was shot 14 times.

. . .

ALFANO: And I'm telling you for the last time, if my grandmother is not delivered by today, there's gonna be a lot of dead bodies. You can call every law enforcement [indiscernible] you desire.

ii. In a separate call, ALFANO gave a 6:00 P.M. deadline, stating: "I'm gonna tell you this right now and I don't care if you call the cops or not. If I don't get my grandmother by six o'clock, I'm going to my local [post] office and I'm gonna burn it down to the ground. I'm gonna burn it down to the fucking ground."

c. Over the course of his calls with USPS customer service representatives, ALFANO eventually started claiming that the USPS lost his grandmother's remains, and threatened to kill USPS employees in revenge, stating, for example, "You guys lost my grandmother—an eye for an eye." Although the USPS call center representatives tried to reassure ALFANO, he accused the USPS of lying to him and attempting to "cover up" the truth.

d. ALFANO made threats that were unequivocal, unconditional, and showed his unwavering conviction, stating, "I don't leave threats, I leave promises." He also said:

i. "I'm gonna tell you this right now. If I see my postman . . . I'm gonna kill him . . . I'm gonna walk up to him . . . and I'm gonna blow his brains out. Simple as that. And I don't make threats. I make fucking promises. That's why I swear on my grandmother's grave. I'm gonna do it."

ii. "People are going to die. I'm telling you this right now, people will die."

iii. "I'm gonna tell you right now, I really don't care if I go to jail or not. I'm gonna burn that post—I'm gonna burn all the post offices down to the ground."

iv. "Tell them don't turn on their cars at night because they might go boom."

e. As the day went by and it became less and less likely that his parcel would be delivered on the scheduled delivery date, ALFANO gave imminent deadlines and warned that if anyone came to his house in response to his threats, he would kill them, stating:

i. "You might as well put the word out. 48 hours. I'm giving you 48 hours. You know what? All hell's gonna break loose on your postal service. You can call the postal police if you want to, I don't give a fuck. You can go ahead and go right now while I'm on the phone with you. Call them, because as soon as they show up at my door, they're gonna catch a hot

one. They're gonna catch a rack with my 12 gauge [shotgun]. And believe me, I have a thing called, a round called Dragon's Breath. It's a napalm round. I really don't give a fuck."³

ii. "You got 48 hours to produce my grandmother or I'm gonna bring the holy hell on the United Postal Service."

iii. "I don't give a fuck . . . If I don't have her remains by tomorrow. Um, by Monday. By Monday. I am gonna start killing you guys one by one."

iv. "Get ready for a fucking lawsuit. You can tell your bosses I said that and if they come to my house they are going to be killed. I'm going to kill every one of those motherfuckers . . . Anybody that had something to do with this is going to go down."

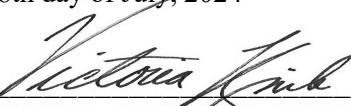
8. Based on my participation in this investigation and conversations with law enforcement officers and postal employees, as a result of ANTHONY ALFANO's, the defendant's, threats, the USPS responded with an increased USPIS presence at relevant post offices, undertook security precautions, and notified local law enforcement to be on high alert.

9. On or about Monday, June 24, 2024, I called ALFANO's cell phone number, which, based on my review of call metadata, is the same number that was used in connection with the above conversations, and spoke with an individual who identified himself as ALFANO. During that call, ALFANO agreed to pick up the parcel at the local post office. Later that day, based on my presence at the local post office, an individual who identified himself as ALFANO and who matched the description and appearance of ALFANO from law enforcement databases and records then arrived at the local post office in Ossining, New York, and accepted the parcel.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of ANTHONY ALFANO, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Edward F. Gannon (signed by VR with permission)
EDWARD F. GANNON
 Postal Inspector
 United States Postal Inspection Service

Sworn to before me through reliable electronic means (video),
 pursuant to Federal Rules of Criminal Procedure 41(d)(3) and 4.1,
 this 18th day of July, 2024


 THE HONORABLE VICTORIA REZNIK
 UNITED STATES MAGISTRATE JUDGE
 SOUTHERN DISTRICT OF NEW YORK

³ Based on my training and experience, "Dragon's Breath" refers to an incendiary round of ammunition for 12-gauge shotguns. A round of Dragon's Breath can shoot out sparks and flames dozens of yards and at temperatures sufficient to light a person or even a building on fire.